THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :20911 of 2005

DATED: 23-01-2007

John Daniel Rebba @ Babby.

..... PETITIONER

AND

The Superintendent of Police,
Guntur District & 3 others.

.....RESPONDENTS

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

2. It is stated that a rowdy sheet has been opened against the petitioner herein by the respondents in R.S.No.200, dated 20-12-1990, on the ground that eleven criminal cases were pending against the petitioner. It is further stated that out of the said eleven criminal cases nine cases ended in acquittal and two cases were bound over for six months and the period of six months is over and therefore *in spite* of there being no criminal cases pending against the petitioner, maintaining rowdy sheet pending against him is illegal and arbitrary.

3. It is stated that as per the police Standing Orders 733 to 737 continuation of the rowdy sheet is illegal and also contrary to the judgment of this Court, in particular, in ***SUNKARA SATYANARAYANA v. STATE OF A.P., HOME DEPARTMENT AND OTHERS*** [1].

4. A perusal of the counter filed by the respondents goes to show that out of the above said eleven cases, the cases 1 to 9 ended in acquittal and in cases 10 and 11 the petitioner was bound over for six months and the period of six months was also over long back and no cases are pending against the petitioner. If that be so, I am of the

opinion that continuation of rowdy sheet against the petitioner is illegal and unsustainable as no cases are pending against him.

5. Accordingly, the writ petition is allowed and the respondents are directed to close the rowdy sheet in R.S.No.200 dated 20-12-1990 against the petitioner if no cases are pending against him. No order as to costs.

V.ESWARAIAH,J

23rd January, 2007.
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[1] 1999(6) ALT 249